

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

Eliseo Rivera Cortés, Gloria Pillot, et al,  
*Plaintiffs*

Civil No. 98-2092(GG)

v.  
Airport Catering Services, Corp.,  
Union Independiente de Trabajadores  
de Aeropuertos

CIVIL ACTION

*Defendants*

**MOTION REQUESTING LEAVE TO FILE BRIEF SUR-REPLY TO CO-PLAINTIFFS'**  
**REPLY**

TO THE HONORABLE COURT:

Comes now Co-Defendant, Airport Catering Services Corp., hereinafter referred to as ACS, represented by its undersigned attorneys and very respectfully states and prays as follows:

1. On March 28, 2005, Plaintiffs filed a motion titled *Group "Y" Coplaintiffs' Objections to U.S. Magistrate Judge Report and Recommendations* (Docket No. 116).
2. The appearing party filed a *Motion in Opposition to Group "Y" Coplaintiffs' Objections* on April 1, 2005. (Docket No. 117).
3. After various extensions of time, on April 27, 2005, Co-Plaintiffs filed a *Reply to "Motion in Opposition to Group 'Y' Co-Plaintiffs' Objections"*. (Docket No. 126).
5. The appearing party wishes to refute the unfounded allegations contained in Co-Plaintiffs' reply. Therefore, in compliance with Local Rule 7.1(c), the appearing party hereby requests leave from this Honorable Court in order to file a brief sur-reply to Co-Plaintiff's reply (Attached herewith as Exhibit "A").

WHEREFORE, the appearing defendant prays this Honorable Court to grant the present motion requesting leave to file a brief sur-reply to Co-Plaintiffs' reply.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 4<sup>th</sup> day of May, 2005.

I HEREBY CERTIFY that on May 4, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Luis R. Mellado-González, Esq.; José Carreras, Esq.; and Nereida Feliciano Ramos, Esq.

s/ Fernando A. Baerga-Ibáñez  
Fernando A. Baerga-Ibáñez  
USDC PR No. 213311  
s/ Alberto R. Estrella Arteaga  
Alberto R. Estrella Arteaga  
USDC PR No. 217606  
Curbelo, Baerga & Quintana Law Office  
Union Plaza Bldg. Suite 810  
Ponce de León Avenue 416  
San Juan, PR 00918-3426  
Tel. (787) 753-7455  
Fax. (787) 756-5796  
[curbelobaerga@microjuris.com](mailto:curbelobaerga@microjuris.com)